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3

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ON PAGE 9

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Pfeiffer compensated for CIA mail tampering

By David Roach
Staff writer

University of Montana Professor E.W. "Bert" Pfeiffer has received a $1,000 government check in compensation for personal mail of his opened by the Central Intelligence Agency.

At least one letter to Pfeiffer was intercepted, photographed, and then sent on to the UM zoology professor by government agents in 1962 during a massive mail-opening operation by the CIA.

The 20-year secret operation, code-named "HTLINGUAL," intercepted more than 215,000 pieces of mail to and from the Soviet Union during the Cold War and Vietnam War years.

The domestic CIA activities, along with similar surveillance by the Federal Bureau of Investigation, were first revealed in 1975 by a special commission headed by then-Vice President Nelson A. Rockefeller.

Pfeiffer received the $1,000 compensation payment last week.

He is one of at least 50 American citizens whose mail was intercepted under HTLINGUAL and who have received similiar compensation so far, a spokesman for the CIA told the Missoulian this week.

The invoice accompanying Pfeiffer's check stated that the compensation was for "alleged illegal and unconstitutional opening of first-class mail."

A previous letter from the Department of Justice in 1980, arranging the settlement, stated that the compensation should not be construed as an admission of liability on the part of the United States.

Pfeiffer said this week that "it doesn't matter to me if they call it an alleged violation. It doesn't mean a thing because they sent me the copy of the letter they opened."

The payment concludes a six-year effort by Pfeiffer, an outspoken advocate of nuclear disarmament and ardent critic of America's military involvement in Vietnam, to acquire documents kept on him by the CIA and the FBI and to resolve the mail-opening incident.

Pfeiffer learned that his mail had been opened after using the Freedom of Information Act in 1975 to obtain government intelligence reports he suspected had been kept on him.

Documents released to Pfeiffer under the Act show that the FBI, and later the CIA, kept track of the 65-year-old scientist's work and travels from the early 1950s until the early 1970s.

Among the documents was a photocopy made by government agents in 1962 of a letter they had intercepted from a UM colleague, who at the time was on a National Academy of Sciences exchange in Leningrad.

The two-page, handwritten letter from Dr. Bob Hoffmann, now a University of Kansas zoology professor, described hotel life in Leningrad with his wife and children and his research in Russia on marmots, a group of burrowing rodents that include the woodchuck.

The CIA and FBI files on Pfeiffer note his various travels abroad to scientific conferences and his lectures and speeches on nuclear disarmament and Vietnam.

Names of informants and sources for the two agencies who were quoted in the files were inked-out before the documents were released to Pfeiffer.

Whole pages of some of the documents, particularly from the CIA, were sent completely blank.

The files also contain numerous copies of newspaper articles on the UM scientist, especially from the Montana Kaimin, the UM student newspaper.

Despite appeals by Pfeiffer, the CIA has 53 additional surveillance files it refuses to release, on grounds of national security and to avoid divulging its informants' identities.

Pfeiffer did research in Utah on the health hazards of radioactive fallout before coming to UM in 1960.

He was among a growing number of scientists in the 1950s who pressed for a worldwide ban on the then-widespread atmospheric testing of nuclear weapons.

The Soviet Union and the United States finally signed a treaty in 1963 that ended above-ground tests.

In the 1960s and early 1970s, Pfeiffer and others repeatedly called for a halt to the use of Agent Orange and other defoliants by the U.S. Army in Southeast Asia.

Scientific research at the time, including Pfeiffer's, pointed to side effects, such as stillbirths and birth defects, in animals tested with the chemicals.

President Richard Nixon ultimately stopped use of the defoliants in 1970, a few days before a national conference of the American Association for the Advancement of Science urged their discontinuation.

Pfeiffer made several trips to Southeast Asia during the Vietnam War to survey defoliant damage and speak against use of the chemicals.

Surveillance files that Pfeiffer obtained include one cable to the CIA from Elsworth Bunker, then U.S. ambassador to South Vietnam, requesting that the UM zoologist be discouraged from making further trips.

Pfeiffer told the Missoulian he wasn't surprised that his activities during the 1950s and the Vietnam War had been monitored.

"You have to understand the times then," Pfeiffer said of the 1950s. "It was the McCarthy era and the Red Scare. Almost anyone who spoke out was suspect. To talk about a test-ban treaty was like waving a red flag in front of the FBI."

"Nixon, when he was running with President Eisenhower in 1956, called (Adlai) Stevenson a traitor because he supported a test ban," Pfeiffer added. "Young people now don't know about the struggles we went through."

The UM zoologist called the surveillance and letter opening a "small instance of police state tactics."

Legal surveillance of real subversives and groups that advocate violent overthrow of the U.S. government is essential, Pfeiffer said.

However, "I don't feel that anything I've done ever jeopardized national security," he said. "I didn't think I was an important enough person to be watched."

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A spokesman for the CIA told the Missoulian that the mail-opening operation, HTLINGUAL, sprang from great concern "about communism and what penetration the Soviets had made in developing contacts and agents" inside the United States.

Government agents during HTLINGUAL used a so-called "watch list" of suspect American citizens to sort through mail to and from the Soviet Union that bore names from the list, said Dale Peterson, a CIA public affairs officer.

Photographs were made of the envelopes of some letters and of the actual contents of others, Peterson added.

The operation, carried out between 1953 and 1973, was made public by the 1975 Rockefeller Commission study on CIA intelligence gathering.

A subsequent investigation in 1976 by a select Senate committee, chaired by then-Sen. Frank Church of Idaho, ultimately led to executive orders by Presidents Gerald Ford and Jimmy Carter that restricted CIA domestic activities.

The CIA acknowledges that HTLINGUAL was "improper," spokesman Peterson said. However, he declined to call the operation illegal.

Meanwhile, litigation over the affair continues. One class-action suit, brought in 1975 on behalf of citizens whose mail was opened, seeks roughly $5 billion in damages from CIA officials who were in charge of HTLINGUAL.

That suit is pending before a federal district court in Brooklyn, N.Y., after the U.S. Supreme Court refused to rule on the case due to jurisdictional questions, said Melvin Wulf of New York City, one of the attorneys for the plaintiffs.

A federal appeals court ruling, uncontested by the government, in a second suit brought by Wulf and attorneys from the American Civil Liberties Union previously set $1,000 as compensation for citizens whose mail was opened.

However, many citizens will be unable to collect since the federal statute of limitation for the mail opening has expired, Wulf said.

Pfeiffer said current talk among Reagan administration officials of loosening restrictions on CIA activities could return America to the "policing of free thought" that occurred during the Cold War.

That prospect encouraged him to make public the surveillance conducted on himself, he added.

Pfeiffer said he will not keep the $1,000 awarded him. "It's taxpayers' money for something the taxpayers didn't do or know about," he said.

The UM professor already has donated $400 of the money to help pay travel expenses for a scientist who testified for the defense at the recent trial of the Rev. John Lemnitzer.

The Missoula pastor is serving a 90-day prison sentence after being convicted last February of tresspassing at a 1980 anti-nuclear demonstration at the Malmstrom Air Force base in Great Falls.

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